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CORPORAL PUNISHMENT

Reply to Majority Report

OF

Committee on Rules and Regulations

OF

BOSTON SCHOOL BOARD

BY

RICHARD C. HUMPHREYS

JANUARY 28, 1890

PRINTED BY REQUEST

BOSTON
PRESS OF GEORGE H. ELLIS, 141 FRANKLIN STREET
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Boston Young Men's Christian Union,
Oct. 21, 1894.

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PREFATORY NOTE.

At the request of many friends, I have consented to publish my reply to the report on Corporal Punishment presented by Mr. Samuel B. Capen for the majority of the Committee on Rules and Regulations, Dec. 24, 1889. When, after the discussion, the majority report passed the School Board, recommending that "no further legislation is necessary," not only had the corporal punishment rules been changed, but the following admirable order offered by Mr. Capen had been adopted: —

Ordered, That the City Council be, and they hereby are, requested to provide and establish a school for truants and absentees from school in the city of Boston, in accordance with Chapter 282 of the Laws of 1886.

An order was also referred to the Committee looking to the establishment of special classes for vicious and unruly pupils in various parts of the city. These measures, I hope, will go far toward solving the corporal punishment question.

Richard C. Humphreys.

NOTE.

THE Rules of the School Board have for years required the reporting in writing of all cases of Corporal Punishment, but the *method* has not been clearly defined. It was in the mind of the writer of the majority report, as he subsequently explained, to have this method clearly defined by a simple *order* of the Board, without a change of the Rules. A definite suggestion was at first prepared, and then omitted from the report in order to confer with the officials as to the best method. The result was embodied in the two orders offered by Mr. Capen January 13 for "a parental school" and for a uniform system of reports, these reports to be open to the School Board and Supervisors, and to be destroyed in two years. The latter order was finally made a part of the Rules, so as to make it more permanent and less likely to be forgotten. These two orders were unanimously adopted by the Board at its meeting January 28; and, *after this was done*, the Board accepted the report of the majority, that "no further legislation is necessary."

CORPORAL PUNISHMENT.

Mr. HUMPHREYS.— If the majority report is under consideration, I would like to speak upon it.

The PRESIDENT.— The Chair would state that the question at present is upon giving the order submitted by the Committee on Rules and Regulations a second reading. The discussion has taken a wide range, but it all seems to be germane to the general question.

Mr. HUMPHREYS.— I wish to speak on the majority report, if that is in order. I was very much surprised to hear the reader of the majority report, which was presented to us at the last part of last year, say a few moments ago that the effort was to decrease the number of corporal punishments, that 18,000 was too large a number. If I understand the majority report, an effort is there made to show that it is a small number. Now, I believe this to be one of the most important questions that has ever been brought before this School Board. It seems to me if that majority report passes this board, it will be very injurious to our public schools, and that corporal punishment will immediately increase. I take this position in opposition to my friends of the committee

from a sense of duty, and in face of the fact that I have been warned that, if I wish to be re-elected, I had better not too strongly oppose corporal punishment. I wish to show that the majority report has not proved that eighteen thousand corporal punishments in a single year is an insignificant number, that it has not proved its abolition in other cities to have been a failure, and that it has not proved that no further legislation is necessary on our corporal punishment rules.

As I listened to the eloquent words which fell from the lips of my friend from West Roxbury, as he read the majority report of the Committee on Rules and Regulations, knowing as I did that it was his mature thought, carefully prepared, his sincere, conscientious, and heartfelt conviction, given in an able, logical, and argumentative manner, *apparently* demonstrating beyond a doubt the truth of the position he had taken, I was almost persuaded that he was right and I was wrong; that I had mistaken the power of the rattan; that the rod, the cowhide, and the whipping-post were not emblems of semi-civilization, but an absolute necessity to the civilization of to-day; indeed, that our public schools could not be carried on successfully without the rod. But before he closed I found he was presenting largely the schoolmasters' side of the question, as shown in the facts, figures, and conclusions gathered

from them; and, when that report recounted the actual occurrences in our schools under the present *régime*, the pistols and the bludgeons, the knives and the knock-downs, I was shocked, and said to myself, Alas! all this under the present system of corporal punishment! Would it be any worse if corporal punishment were abolished? I believe, if we should examine carefully into each one of these occurrences, we should find that large numbers were directly caused by corporal punishment.

Let me here say, before presenting my side of the question, that I am not an advocate of the immediate abolition of corporal punishment in our schools, but I am very strongly in favor of its being reduced I accept a large part of the majority report, but I take exception to some of its arguments. I dissent from some of the deductions from its illustrations and entirely from its conclusions that no further legislation is necessary. If we have as many heathen in our schools as the majority report would have us believe, it *may* be necessary to use heathenish means to control them; but let us regard them as heathenish, ever looking forward to the time when we can have something more in accord with the civilization of to-day. I want the School Board of Boston to throw its influence on the side of progress and reform, and I think by adopting the majority report we throw it in the opposite direction. I said it was

largely the presentation of the schoolmasters' side of the question, but not entirely; for I hope to represent not a small minority of the school-teachers of this city, when I argue that some further legislation is necessary to decrease the number of corporal punishments. I hope to represent humanity, justice, progress, and reform when I argue that our teachers should not be allowed to punish in anger. Do you think it is not done? I know that it is. I will allow that all the masters whose testimony appears in the majority report are discreet, even-tempered men, who can be trusted with the rod; but there are some who need to be restrained. When I went to school, it was a common thing to have the teacher vent his rage upon a boy for some slight misdemeanor, which at another time would have been passed by with a reprimand. Then the flogging was done before the whole school. Now we have advanced somewhat: the boy is usually taken to the dressing-room; and the angry words of the teacher, the cutting sound of the blows, the cries of the unfortunate boy, are somewhat subdued, but can be heard by the whole class. I do not imagine there are many such teachers, but I know there are some; and it is to restrain these that I ask that this board pass an order or a rule that no punishment shall be inflicted by any teacher during the session in which the offence is committed. Is that a very radical or unreasonable

demand? I find among the strong advocates of corporal punishment teachers — yes, principals — who say, "Our best teachers punish the least." "If we had forty pupils to a teacher, instead of fifty-six, corporal punishment would be very much decreased, if not entirely abolished." This shows the possibility of conducting our schools, under certain circumstances, without the rod.

I have visited nearly every schoolroom in this city, and I have been very much impressed with the influence which some teachers have over their classes. In some of the worst parts of the city, where the children get but little, if any, moral development in their homes, there are teachers who have such ability in imparting not only intellectual instruction, but in developing moral perception, strength of character, true manhood and true womanhood, that children coming into their rooms with swaggering gait, sullen disposition, careless manners, and offensive habits, very soon show a change for the better. Their walk is more erect; they come with faces clean, hair brushed, and even boots blacked; and, before the year has passed, the lines of their faces actually change. And all this without the rod. Think, for a moment, what such teachers are doing for you and for me, and for the future of this city. I would have this board encourage them by throwing its influence on the side of disciplining by love rather than

by fear. You say such teachers cannot be found. I say, if we create the demand, the supply will follow.

The advocates of corporal punishment say it is not fair to state that eighteen thousand boys have been punished, for the punishments are inflicted on comparatively few; that is, the same boys are repeatedly punished. What better argument in favor of further restricting the use of the rod? It shows that it does not reform, or make the boy morally better. To me, it seems just as excessive to say that one boy was punished eighteen thousand times as it does to say eighteen thousand boys were punished. If these punishments were evenly distributed, a boy would be having a flogging nearly all the time the schools are in session. Last year, eighteen thousand corporal punishments were reported. To that number should be added those administered by substitutes, which in some schools are not counted; and I have known of an experienced teacher severely flogging a child and not reporting it. I believe there are two corporal punishments administered and *not* reported for every "single tap with a pencil upon a child's finger" that *is* reported. I am very much interested to find some way to help those teachers who cannot realize that eighteen thousand is a large number, which is my excuse for referring to it so often. Perhaps this plan might make it more clear: imagine eighteen thousand boys organized into thirty-two regiments of ten

companies each, with fifty-six boys to a company. It would make a larger gathering than we had at the dedication at Franklin Park last summer.

One of the most striking instances of the misuse of the rod is shown by those teachers who punish for tardiness. In my visits to various parts of the city, I have been interested to know how the tardiness in one school compared with that of another. So far as I can judge, the best record is in those schools where, *without the use of the rod*, the teachers have inculcated in the hearts of their pupils a sincere love and loyalty for the school. I found in some schools as much interest manifested by the children as by the teacher in having a good record for punctuality. Can that end be attained by corporal punishment? No! It can only be attained by love, kindness, and personal influence. Corporal punishment arouses the brutal and revengeful spirit: it stirs up the worst elements in a boy: it does not lead him to look at the moral side of the question, but rather to calculate, "How much fun can I have for so much licking?" Let me illustrate it. Two boys, eleven and twelve years of age, were sitting on a fence, talking very earnestly together about some doughnuts which their mother had just fried and put away in the pantry. One said, "I want some of those doughnuts awfully." The other replied: "So do I; but you know what a thrashing

father gave me when I took one the other day. But he would not lick us any worse if we took half a dozen, and you know how nice they are when they are fresh." So the boy concludes to go and get the doughnuts and take the thrashing. The moral side of the question is not considered. That is the natural effect of corporal punishment. More than one of our masters have found it useless to punish for truancy. One teacher, after giving a boy a severe punishment for this offence said, "If you play truant again, I will give you a harder one." The boy came to school regularly for ten days, and then was missing again. When he came the next morning, the teacher said to him, "Where were you yesterday?" "I went a-fishing, sir." "Didn't I tell you I should punish you if you played truant again?" "Yes, sir." "Do you deserve it?" "Yes, sir." The boy received it, and bore it like a martyr. The teacher then said to him, "What made you play truant, when you knew you would be punished for it?" "I thought I should have such a good time fishing, it would pay to take the licking." I would rather impress upon the heart of the child that it was wrong to play truant, that he was disgracing himself and the school. At least, we should encourage those teachers who are doing this, and throw our influence with them on the side of the higher appeal rather than on the side of the lower.

The majority report states that 14,085 applicants were refused admission to the New York schools, which is true. But these were in Wards 10, 11, 12, 13, 19, 22, and 23, which are in the better part of the city, where the growth has been very rapid and the new school-houses have not been built fast enough to accommodate all. The attendance, however, has decreased in most of the other wards. I cannot say that compulsory education is as complete as in Boston, but the truant officers of New York City put 4,669 children into her schools during the past year.

In the majority report emphasis was laid upon the fact that in some cities, where corporal punishment has been abolished, incorrigible boys are turned into the streets to become criminals. This led me to look at the report of the superintendent of schools in New York for 1884, where I find the following: "During the year 1883, eighty pupils were suspended; this year, only sixty-six. Of these sixty-six pupils, forty-four were returned to school, in every instance to some school other than the one from which the suspension was made; and four went to work. Of the remaining eighteen, some, changing their residences, left the city; a few could not be found. It therefore appears that, in the proper discipline of nearly 130,000 children, only eighteen cases demanded action of such character as to sever the pupils' connection with our schools." Would it be worth while

to restore corporal punishment in New York for the sake of these eighteen as against the other 129,982? Or is there any hope that the eighteen would be saved by it? They doubtless belong in a reformatory. Is it not possible in our schools, under the present system of corporal punishment, that there may be nine boys who would be better off in a reformatory, better for them and for the schools? Nine would be our proportion as compared with New York. Is it worth while for us to continue corporal punishment indefinitely in our schools for fear it may be necessary to send nine boys to some institution for incorrigibles? The reports of the city of New York show a continued improvement in the discipline of her schools. A gentleman said to me the other day, in speaking of a very bad boy that should be taken out of a class of fifty-six, "The other fifty-five have rights which the school committee are bound to respect." It will not do to let one boy demoralize a whole class, but he must be taken out and put into the incorrigible class proposed by Mr. Capen at our last meeting. I was pleased to find in the superintendent's report of the schools of New York, as far back as 1881, these encouraging words. After speaking of the good order and discipline that prevail *without recourse to corporal punishment*, it says: —

"Above all, the influential example of earnest, capable, and conscientious teachers — who, in edu-

cating and training youth, combine justice, firmness, and kindness — have been important factors in the work of attaining the present high standard of order and discipline in our schools. In no branch of school work are the influence and faithfulness of a principal more easily discernible than in the discipline. A remark is occasionally made by a principal that indicates the opinion that difference in order is due to the difference in the character of the scholars; but it is gratifying to state that some of the best disciplined schools are composed of children whose home surroundings are not at all of a favorable character."

Thus you see that even in those schools where the surroundings of the scholars are unfavorable the same encouraging report is made that love and kindness conquer. In the New York superintendent's report for the year 1887, after speaking of the excellent discipline which no one can witness without feelings of admiration, he says: "This discipline is maintained by kindness as well as firmness on the part of the able teacher. Those who love their work and faithfully discharge their duties find little difficulty in securing proper discipline while imparting instruction to their classes. Ability, fidelity, a desire to promote the welfare of those intrusted to their care, are qualities which cannot fail to be appreciated even by children in the lower grades of the primary schools. Even in classes where the home influence is supposed

to be unfavorable to the cultivation of habits of obedience, excellent discipline prevails. The example of the faithful and conscientious teacher contributes to the development and cultivation of true nobility of character in pupils of the class, which is manifested in studious habits and excellent deportment. The true teacher is not satisfied merely with the development and cultivation of the intellect: it is the whole child that she seeks to benefit by her teachings. Hand and heart must be educated together. Wholesome precepts, constantly taught and enforced by a living example, commend themselves to the favorable notice of children; and these precepts are calculated to foster in them a love of virtuous principles, which adorn the possessors and lead to lives of strict integrity and practical usefulness."

Bear in mind that these encouraging words were written after more than fifteen years of disciplining schools without corporal punishment. The plan suggested by the majority report to decrease the number of punishments has not been successful in the past, and I fear it will not be in the future. It says, "If the practical question is asked, What can we do to reduce the number of punishments? I beg you to read Section 221 again, and see if any rule could be drawn in a kinder manner or breathe more the spirit of love. It suggests the most sacred institution, 'the family' and the method of the 'judicious parent.'"

If I should present to you a true picture of a few of the punishments inflicted under this section, I think it would make you realize that some change in the rule is required to accomplish the object for which we all strive. Go with me to the sick-room of that boy who received forty blows, which confined him to the house for two months. See him as he lies upon the bed suffering with intense pain. Listen to his physician as he tells you that he has seldom seen a patient suffer more. This boy had a weakness which that terrible punishment aggravated, and caused this intense pain and long confinement. I might multiply instances of excessive punishment while in anger, the lacerated body, the injured limb; and not the least of the evil effects of such treatment is the exciting of a revengeful spirit in the pupil. Why was corporal punishment abolished in Chicago? I am told it was hastened by the death of a boy who died from the effects of a punishment inflicted by his teacher. The teachers in a body asked for it, the people demanded it. Must enlightened Boston wait for some such occurrence before it realizes the need of restricting the use of the rod? I find in the majority report one very strong argument against corporal punishment. It says, "Many of us have seen pictures of Indians when they were first brought to Hampton and Carlisle, and then the same boys after they have been partially educated, and we hardly recognize them, the change

has been so marked." I visited Hampton a few weeks ago, where I witnessed the very remarkable and encouraging work that is being carried on there; and, if any one feature of that work impressed me more than another, it was that the Indian just from the reservation, having thrown away tomahawk and scalping-knife, yielded so quickly and so entirely to love and kindness. Could Hampton be made a success with the cowhide and whipping-post? No! But it is a success through the personal influence of true manhood and womanhood.

I am not wedded to any particular plan for the reduction of the number of corporal punishments. I would be entirely satisfied with the rule adopted in the neighboring city of Cambridge, which is this: "No scholar on entering the schools of the city shall be subject to corporal punishment in *any form*. But, if any scholar prove to be disorderly or refractory, such scholar, on due notice to parent or guardian and on written consent of the committee having charge of the school, shall be liable to corporal punishment during the remainder of the term." That has worked well in Cambridge, a city of sixty-two thousand inhabitants, and I think that parts of Cambridgeport and East Cambridge are fairly comparable with some of the worst districts in Boston; and compulsory education is enforced there as well as here. I find in the superintendent's report of the condition of the schools

in Cambridge for 1885 the following very encouraging words: "For the past twenty years, in several of the schools of Cambridge, and for ten or twelve years in a majority of them, corporal punishment has not been inflicted in a single instance, and during the past year there have been less than fifty cases in all the public schools of the city,— a number smaller, I have reason to believe, than the average *daily* number twenty-five or thirty years ago." No wonder our superintendent felt it to be his duty to call attention to the corporal punishment question in his report, if he had compared Cambridge with Boston. How many corporal punishments should we have in our schools if we had the same proportion as Cambridge? About three hundred. Cambridge fifty corporal punishments in a year, Boston eighteen thousand,— how can you account for the difference? The advocates of corporal punishment admit that the best teachers punish the least. Are Cambridge teachers better than ours? Cambridge schools will compare not unfavorably with our own in both discipline and scholarship. If Cambridge can have good discipline in her schools with *fifty* corporal punishments a year, is it absolutely necessary for us to have *eighteen thousand?*

The good result of the discussion of this question has shown itself in the interest taken by teachers. At the meeting of the Primary Teachers' Association held January 17, two papers were read upon this

subject,— one supposed to be in favor of, the other against, corporal punishment; and I am in doubt which one made the stronger argument in favor of its being further restricted. It is encouraging to know that some teachers realize, to use the words of Miss M. J. Capen, that "it takes away a teacher's dignity to stand before her children with rod in hand." So far as I have been able to get at the position taken by the primary teachers at their meeting, they strongly favored a less frequent use of the rod. To use the language of one of them, "Restrict its use, but do not take it away." That is all I am arguing for to-night.

Let me quote from Miss Howard, who made what was called a strong plea for the rod: "Give the teacher a well-ventilated school-room, with only half the present number of pupils therein, and the number of punishments will be reduced, and perhaps cease." I take that to mean that Miss Howard and the other teachers who are wedded to the rod punish their children for that for which they are not to blame. If the child is made uneasy by the impure air caused by the too crowded room, should it be punished for that restlessness? Or does she mean that the *teacher*, from lack of pure air, becomes restless and cross, and, losing her temper, resorts to corporal punishment as a means of discipline, when, under more favorable circumstances, moral suasion and personal influence

would accomplish it? I think that these are fair deductions from her words.

Let me repeat what I have tried to make clear to you,—that I am not arguing for the abolition of corporal punishment, but that it be further restricted,—that the majority report shall not pass this board, for I believe it does not express your convictions; and it certainly does not give the present feeling of the compiler of that report, if I understand the import of the two orders offered by him at our meeting January 13, the effect of both of which is to decrease corporal punishment. It is a very serious matter that some of our teachers, apparently, cannot realize that eighteen thousand corporal punishments a year are excessive. I should judge from the manner in which they speak of this number that, if we were willing, they would double it. Some of them have displayed great mathematical ability in trying to so arrange figures as to make eighteen thousand appear to be an insignificant number.

I was talking a few days ago with Dr. Fernald, the superintendent of the Massachusetts School for the Feeble-minded, and asked him how often it was necessary to resort to corporal punishment in the management of the two hundred feeble-minded children intrusted to his care. He said: "Very seldom; and it is never inflicted without the consent of superintendent or matron. Our teachers do not believe

in corporal punishment. Experience has shown them that these feeble-minded children can be governed by love and kindness." If these feeble-minded children, who are not so susceptible to argument and reason as the children of our schools, can be disciplined without the rattan, ought not we to at least try to decrease its use?

The majority report suggests that corporal punishment cannot be abolished until we get nearer the millennium than we are to-day. How is the millennium to be gained, if not by our individual efforts? We are the instruments in God's hands for advancing his work in the world, and we must not *wait* for the millennium to come, but be ever ready to do our part to hasten it. Of one thing I am sure,— the millennium will never come while the Boston School Board allows annually eighteen thousand corporal punishments in its public schools.

I cannot agree with that aged teacher who says, "The way to reduce corporal punishment is to stop talking about it." It would be just as reasonable to say the evil of intemperance can be cured by never mentioning its evil effects. I claim that the discussion of corporal punishment *has* done some good, that it has directly lessened the number of punishments. And I also believe that, if this majority report should pass this board by nearly a unanimous vote, it would increase corporal punishment at once.

In conclusion, let me say that I realize we are all looking and working for the best interests of our schools; and we all wish to adopt the plan that will make them the most successful in giving our boys and girls such an education as will develop strong moral characters and patriotic citizens and good members of society. And I believe that end can be accomplished by love more easily than by fear, by kindness than by cruelty, and that it is the duty of this board to throw its influence in the direction of progress and reform by gradually working toward the abolition of corporal punishment. If this board exerts its influence in that direction, our teachers can the more easily make their influence felt with the children. Let me repeat, I want the influence of this board to go with those sincere, conscientious teachers who, from high motives and a pure desire to develop the whole child by improving its disposition and quickening its conscience as well as its intellect, have almost, if not entirely, abolished the use of the rod. Let us encourage those who, by strength of character, love, and personal influence, are making themselves felt for good in our schools. Are we doing our duty as citizens of Boston, as members of this board, selected by our fellow-citizens to raise the standard of our schools, to so rule and regulate them that the boys and girls who graduate from them will be well developed morally as well as intellectually, when we say

to our teachers, to their parents, and to the world that no further legislation is necessary upon a rule that admits of eighteen thousand corporal punishments in a single year? I should not be just to myself if I did not raise my voice and do all in my power against the order accompanying the majority report, that "no further legislation is necessary."

I have an order here which I would like to offer, Mr. President. I do not know whether it would come as an amendment or not.

The PRESIDENT.— The Chair will state that it would not be in order to offer any order at present; but, when the two reports from the Committee on Rules and Regulations are presented, it may be in order at that time to offer something.

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